

**KAISHIAN &  
MORTAZAVI  
LLC**

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55 WASHINGTON ST.  
Ste. 508  
BROOKLYN, NY 11201  
(347) 662-2421

March 20, 2025

Honorable Judge Brian M. Cogan  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: Davis v. The City of New York et al.  
Docket No.: 1:24-cv-08323-BMC

Dear Hon. Judge Cogan:

Our office represents Plaintiff, Sidarius Davis, in the above action. Counsel for Plaintiff writes this Court to provide a difficult yet essential status update as to Mr. Davis' competency to continue to prosecute this action.

Mr. Davis was the victim of a shooting, subsequent and unrelated to the events giving rise to the instant action. Mr. Davis was shot in the head, thankfully he survived and has been recovering, but he is currently being treated at Coler Specialty Hospital, an in-patient rehabilitation center on Roosevelt Island, NY. The undersigned personally visited Mr. Davis and spoke with the social worker and nurse in charge of Mr. Davis' care, along with Coler Hospital's Assistant Director for Risk Management Daniel Berry, about Mr. Davis' current condition. I was informed that Mr. Davis has "moments of clarity" but otherwise is not "oriented to time and place". I was further informed that Mr. Davis is currently deemed incompetent to make his own decisions, and the timeline for recovery is currently undetermined.

Given this unfortunate situation, Plaintiff's Counsel is respectfully requesting, with Defense Counsel's consent, a 60-day stay of all discovery, proceedings, and deadlines, in order to evaluate the proper next steps, including the potential for establishing an appropriate Representative on behalf of Mr. Davis to be substituted pursuant to Federal Rule 25(b) in order to continue this action.

The undersigned is in communication with Mr. Davis' treatment team and will continue to provide updates to the Court and Defense Counsel as further information becomes available. Should the Court require clarification, or further information related the foregoing status report and request, please do not hesitate to contact the undersigned.

Respectfully submitted,



S. Masoud Mortazavi

**KAISHIAN & MORTAZAVI LLC**  
55 Washington St., Suite 508  
Brooklyn, New York 11201  
T: (347) 662-2421  
E: eservice@kaishianlaw.com

CC: All parties by ECF